

REMARKS

Claims 1-8 and 11-34 are pending in this application, with claims 1, 8, 14, 19, 23, 27 and 31 being independent.

Applicant acknowledges with appreciation the Examiner's indication that claims 11 and 18 are directed to allowable subject matter.

The specification has been objected to for allegedly failing to provide antecedent basis for layers of a light reflective film having a porous surface and including concavities and convexities. Applicant requests reconsideration and withdrawal of this objection for the reasons discussed with Mr. Harris at the interview on April 10, 2003. In particular, the Examiner appears to be relying on statements in the specification that refer to "light reflecting films consisting of a porous layer" as preventing the porous layer from also having concavities and convexities. Applicant respectfully submits that this is an improper interpretation of "consisting of" and the context in which that term is used in the specification.

Assuming for sake of argument that use of the closed-end term "consisting of" in the specification may be used to limit the scope of the claims, the language on which the Examiner relies would only prevent the light reflecting films from including other layers, and would not prevent the porous layer from having other properties. For example, relying on the statements in the manner suggested by the Examiner would also prevent Applicant from reciting other properties of the porous layer, such as that the porous layer includes upper or lower surfaces, the thickness of the porous layer, or the materials from which the porous layer is made.

Indeed, the Examiner's interpretation of the "consisting of" language effectively adds to the light reflecting film the property of having an upper surface that is smooth other than the presence of pores, even though the same interpretation would prevent Applicant from explicitly reciting such a property. Moreover, the addition of this property is inconsistent with statements in the specification that have been discussed in previous responses. These statements include, for example, statements that the surface of the light reflecting film includes concavities and convexities (p. 16, line 23 to p. 17, line 3), that the reflection can be further improved by making the upper surface of the underlying layer irregular (p. 22, lines 16-18), and that the configuration

of the film is influenced by the surface roughness of the underlying layer (p. 22, line 25 to page 23, line 2).

For these reasons, Applicant requests reconsideration and withdrawal of the objection to the specification.

Claims 1-8, 12-17 and 19-34 have been rejected as being obvious over Shimada in view of Yoshihiro. Applicant requests reconsideration and withdrawal of this rejection because neither Shimada, Yoshihiro, nor any combination of the two describes or suggests a porous surface including pores with controlled diameters and depths, as recited in each of the independent claims. Such control of the diameter and depth of the pores is described in the specification at, for example, at p. 27, lines 2-5 (“[S]ince the light reflecting layer is made porous into a porous layer by anodic oxidation, the configuration, diameter, depth, etc. of the pores thereof can be easily controlled.”). By contrast, the “bumps” of Shimada in no way constitute pores having controlled diameters and depths. For this reason, and for the reasons noted in the prior response, Applicant requests reconsideration and withdrawal of the rejection.